

## **Court Management Council (CMC)**

### **Meeting Minutes** **Wednesday, April 8, 2009**

#### **Members Participating**

Mr. Jeff Hall (co-chair)  
Ms. Roni Booth  
Mr. Ron Carpenter (by phone)  
Ms. Jeri Cusimano  
Ms. Delilah George (by phone)  
Ms. Marti Maxwell

Mr. Michael Merringer  
Mr. Joe McGuire  
Ms. Barbara Miner  
Ms. Paula Holter-Mehren  
Mr. Paul Sherfey  
Ms. Renee Townsley (by phone)

#### **Members Absent**

Mr. Richard Johnson (co-chair)  
Ms. Kathy Martin  
Ms. Sharon Paradis

Mr. David Ponzoha  
Ms. Katheryn Seymour

#### **AOC Staff**

Mr. Charles Bates  
Mr. Dirk Marler

Ms. Mellani McAleenan (by phone)  
Ms. Caroline Tawes

#### **INTRODUCTORY ITEMS**

##### **Call to Order**

The meeting was called to order at 10:00 a.m. Members of the CMC introduced themselves.

##### **Approval of Minutes**

Mr. Hall asked if there were any changes or comments to the draft minutes from the February 11, 2009 meetings. Mr. Hall asked for a motion to approve the minutes.

Moved, second and carried: to approve the February 11, 2009 minutes.

#### **DISCUSSION ITEMS**

##### **Legislative Update**

Ms. McAleenan said the Legislature is on day 87 of 105-day session. She referred to her handout in the meeting materials, which listed bills requested by the Board for Judicial Administration (BJA) and bills on which BJA has a position. Some bills that might be of interest to the CMC include:

- House Bill 1158, allowing jurors to fill out questionnaires online, has been passed by the Senate and the House with minor amendments.
- House Bill 1159/Senate Bill 5135, which will phase in five new judges to King County, has been signed by the Governor.
- Senate Bill 5102, adding two judges in Benton County, will be going to the Governor for signing today or tomorrow.
- House Bill 1205/Senate Bill 5025, adding one judge to the Court of Appeals, Division 2, District 2, has passed both the Senate and the House, and will be sent to the Governor soon.

Ms. McAleenan said HB 1937, the juror expense funding bill, had a hearing, but given the budget environment, it is unlikely to move forward.

Ms. Maxwell asked for an update on SB 5433, local option tax provisions. Ms. McAleenan told her the bill is in the House Rules Committee, waiting to be heard on the floor. The next cutoff date for these bills is April 17.

Mr. Sherfey asked about SB 5151, authorizing appointment of criminal court commissioners. Ms. McAleenan said it has passed the Senate and House, and will be signed by the Speaker of the House, and then sent to the Governor.

Mr. Sherfey asked about the Public Retirement Benefit Court Employees bill. The House version, HB 1742, did not receive a hearing in the Ways and Means Committee. The Senate version, SB 1742, received a hearing but then didn't make it out of rules committee.

Ms. McAleenan said another bill of interest is tolling bill, regarding implementing tolls on the 520 bridge to fund bridge repairs. AOC is in the process of making sure the tolling infractions are going to King County District Court and that King County District Court is ready and staffed. The infractions will double the number of infractions in the state. Funding for the ramp up is not in place. Mr. Sherfey asked if the infractions would be appealable to the King County Superior Court. Mr. Marler said the infractions would be appealable, but AOC has looked at appeals in Pierce County from the Narrows Bridge toll infractions, and none have been appealed. Ms. McAleenan said the fine will be \$52 and the filing fee for Superior Court is \$200, so she does not anticipate many appeals.

Mr. Merringer asked if there had been any change in SB 5225, updating property theft values. Heard it may be redeemed to adopt budget. Ms. McAleenan said both the Senate and House budgets included this bill.

### **Business Continuity and Administrative Public Records/Records Management Presentation**

Mr. Bates gave a PowerPoint presentation on the two CMC projects that he leads, the Business Continuity Project and Administrative Public Records/Records Management Project. He views these projects as three separate but interconnected areas: business continuity planning, administrative public records requests, and records management. Mr. Bates suggested looking to other counties in Washington and other states for information and templates on these subjects. He views himself as a clearinghouse for information sharing and communication for the CMC members and their courts. The National Center for State Courts (NCSC) also has templates. Mr. Bates asked the CMC members to review his plans and objectives and send him feedback.

Ms. Maxwell asked if there was a record of how many courts have electronic records management. She asked if we consider survey courts for this information as it would help drive how continuity plans are developed. If a county has imaged records, presumably you have off-site storage of those records. Mr. Bates agreed this would be a good first piece of information, and said he would consider conducting a survey to find out how many courts have business continuity plans and how many have electronic records. This information

would help him know how to act as a clearinghouse for the information. Ms. Maxwell suggested that he differentiate between limited jurisdiction courts and general jurisdiction courts because there is a breadth of what records, how big they are. Ms. Booth said some counties may have business continuity plans, but offices or departments within those counties may not.

### **Who Has Court Jobs Web Site**

Mr. Marler pointed out the Who Has Court Jobs Web site information listed at the end of the CMC meeting agenda. AOC posts, on behalf of the courts, any job in Washington courts. He said AOC had originally contracted with the NCSC, who hosted this site to post jobs in courts throughout the state. NCSC no longer hosts this site, although there is still a link to the AOC job listing site on the NCSC site, and the Who Has Court Jobs comes up first on most search engines. Later this year, Mr. Marler will ask the court community if they feel they are getting anything of value from the Who Has Court Jobs site. AOC is in the process of tracking where our employees first heard about jobs at AOC. Ms. Maxwell asked if NCSC charged for posting job openings. Mr. Marler will investigate this.

### **Budget Update**

Mr. Hall gave an update on the impact on the Judicial Branch of the recently released Legislative budgets. The Senate budget is substantially different from the House budget, and Mr. Hall feels the Senate has the better budget. The AOC budget is complicated, as the total AOC is comprised of the AOC operating budget as well as pass-through funds such as Superior Court judges' salaries and benefits, the JIS account, and pro-tem costs, among others.

Overall reductions to the Judicial branch in the Senate budget are about 7.1%, about the same as the cuts the Senate gave itself. In the Senate budget, reductions to the Judicial branch agencies are approximately 5.5% to the Supreme Court, the Courts of Appeals, Commission on Judicial Conduct, and Office of Public Defense (OPD); about 22% cut to the Law Library; approximately 20% to the Office of Civil Legal Aid (OCLA); and about a 15% reduction to AOC, excluding some pass-through budgets.

The House budget appropriates about \$2 million less to the Judicial branch than the Senate budget. In the House budget, the Law Library and OCLA received lower reductions, but other agencies in the Judicial branch received higher reductions. Most reductions are in the 9–10% reduction area. The House budget created the Judicial Stabilization Trust Account (JSTA), which will be funded by filing fees and an increase in bar association dues. Mr. Hall said he is not sure what the function of the JSTA is intended to be.

The Senate provides a little more direct appropriation than the House budget to the Judicial Information System (JIS) account fund. Both budgets appropriated fund balances from agencies throughout the state, including the JIS account fund, and swept those balances into the General Fund.

Mr. Sherfey asked how the budget reduction will affect AOC. The Leadership Team at AOC has plans, including holding open position vacancies and locating savings in existing operations, and will wait until the final Legislative budget is passed before making any announcements.

The CMC members discussed the pass-through budgets at AOC. Mr. Hall said AOC is not in a position to absorb reductions to pass-through budgets. Mr. Sherfey suggested that the decreasing interpreter funding could be re-distributed to more counties. Mr. Hall suggested forwarding this question to the BJA and Interpreter Commission.

### **Judicial Information System (JIS) Update**

Last spring, the Judicial Information System Committee (JISC) approved priorities of the JIS. The top priorities include developing the data exchange, moving forward with work on vehicle-related violations exchange, e-ticketing enhancements, and planning efforts to work on a superior court exchange. The JISC also told AOC to move forward on internal capacity and capabilities on project management, portfolio management, and enterprise architecture. They also approved moving forward with implementation of a master data management system. AOC has contracted with two vendors on concurrent projects to help accomplish these goals. Contractor Ernest and Young will present a business plan to the JISC this week that will outline step-by-step procedures to move AOC toward their future goals. At their June meeting, the JISC will vote on the Ernest and Young business plan and may continue the partnership, or may search for a different vendor for the next steps.

Ernest and Young have presented several options for master data management system, including an off-the-shelf system, a custom system, a hybrid of both off-the-shelf and custom systems, and a portal or service-oriented system. JISC has taken the initial steps to survey vendors. The funding is in place for a master data management system.

The second vendor, Sierra Systems, has been working on the project management and portfolio management structures, important elements to creating good decisions in the future.

### **Committee and Project Reports**

Ms. Booth said the meeting with Ms. Carol Maher at AOC regarding GR 33 went well. The committee is waiting for Judge Anne Ellington to finish Part II of the report. Ms. Maxwell is working on a GR 33 tools kit for courts.

Ms. Maxwell said GR 33 could be confusing and court administrators needed a simple statement of accommodation. Ms. Booth said she would like to see AOC produce something similar to the Language Assistance Plan (LAP) for GR 33. Mr. Marler said Ms. Maher is working on finding useful tools and practices.

### **MEMBER ASSOCIATION REPORTS**

#### **Supreme Court**

Mr. Carpenter said there were special hearings scheduled regarding death penalty cases. Ms. Maxwell asked about a court public disclosure case and Mr. Carpenter said he would look it up that information and forward to CMC members.

#### **County Clerks**

Ms. Miner said the Washington State Association of County Clerks (WSACC) spring training was finished and went well. They invited an outside trainer who presented a session on Leadership in Difficult Times. There will be several regional trainings focusing on clerks' minutes and developing uniformity throughout the state. The summer conference is

scheduled for June, where they will select new officers and begin work on the Legislative agenda for next year.

### **Superior Court Administrators**

Ms. Maxwell said the Association of Washington Superior Court Administrators (AWSCA) conference spring conference will be in Yakima. Conference topics will include public disclosure and training in BOXI and court tools in general jurisdiction courts.

### **Juvenile Court Administrators**

Mr. Merringer thanked Mr. Hall and AOC staff for their efforts to transfer funding from the Juvenile Rehabilitation Account to AOC. He is disappointed the transfer was not in the Legislative budget. The Washington Association of Juvenile Court Administrators (WAJCA) spring training will be in June in Yakima. Ms. Holter-Mehren said a risk assessment for juvenile offenders is the next step in general case management.

### **District and Municipal Court Administrators**

Mr. McGuire said the District and Municipal Court Administrators Association (DMCMA) have regional training at six different locations at the end of April. Their annual conference is in Vancouver in May. They are moving forward with a statewide debt reduction program in May.

### **AOC**

Mr. Hall said staff is continuing to focus on budget and legislative issues. AOC is currently staffing the Appellate Spring Conference in Chelan. A new orientation program for recently-hired employees is being implemented. It will be a two-day training based on a program from the National Association for Court Management (NACM). Part of the training will be a visit to courtrooms and court administrative offices.

### **OTHER BUSINESS**

Ms. Maxwell asked about developing a web-based training for employees statewide. Mr. Hall said AOC education staff are considering several different training delivery methods. Mr. Marler supports the opportunity to do more web-based training and has looked at web-based education products. Ms. Holter-Mehren said the Board for Court Education (BCE) is also examining this issue.

Ms. Miner requested a written statement of the budget update and JIS update. Mr. Hall said he would provide both to the CMC members.

### **ADJOURNMENT**

There being no further business of the Council, the meeting adjourned at 12:45 p.m.

### **ACTION ITEMS**

- Mr. Bates will look into the possibility of conducting a survey on how many courts have continuity plans in place and how many have electronic records.
- Mr. Marler will find out if NCSC charges for job postings and if employers can see resumes online through the Who Has Court Jobs Web site.

- Ms. Miner requested a written statement of the budget update and JIS update. Mr. Hall said he would provide both to the CMC members.
- Mr. Hall will investigate the possibility of new AOC employees job shadowing court employees.
- Dr. McCurley has asked for suggestions from the CMC regarding data quality and consistency. CMC recommended taking this issue to the Data Management Steering group, and discussing it again at a future CMC meeting.
- Mr. Hall said that AOC will prepare a draft survey and cover letter to ask court managers if they have staff who would be interested in committing to completing the ICM course.